

### REMARKS

This application has been reviewed in light of the Office Action dated July 10, 2009. Claims 1-11 are presented for examination, of which Claim 1 is in independent form. Claims 9-11 have been added to assure Applicants of a full measure of protection (with support found in Figs. 9-12). Claims 1 and 4-7 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,011,634 (Aihara et al.).

Applicants submit that independent Claim 1, together with its dependent claims, is patentable over the cited prior art for at least the following reasons.

As discussed in the specification, the present invention relates to a facsimile (fax) apparatus in which a large display unit can be mounted while realizing miniaturization of the apparatus main body and ensuring easy access to the document insertion point and the recording paper insertion point (para. [0006]).

According to certain aspects of the present invention, a fax apparatus has an operation unit where a user enters fax instructions (Figs. 1 and 9, 10). For example, the operation unit may contain a group of numeral buttons using which a user can dial a fax number. It also has a display unit which shows to the user the status of fax operations (Figs. 1 and 9, 14). The display unit is rotatably mounted to the top rear portion of the operation unit such that it can be in either the upright position or the closed-down position overlaying the operation unit. The fax apparatus also has a document inserting port where the user places the document to be faxed (Figs. 1, 11 and 12, 44). The document inserting port is located to the back of the display unit without ever being covered by the display unit. In addition, the fax apparatus has a recording

paper inserting port where the user places sheets of paper onto which the fax is to be recorded (Figs. 1, 11 and 12, 29). The recording paper inserting port is also located to the back of the display unit without ever being covered by the display unit.

By rotatably and axially supporting the display unit to the operation unit, the compactness of the fax apparatus is realized (para. [0063]). Furthermore, when the display unit is closed down, the document inserting port and recording paper inserting port become easily accessible, thus improving the operability of the fax apparatus.

Claim 1 recites, among other features, “a document inserting port arranged in the upper portion of the apparatus main body, for inserting a document from a location to the rear of said display unit when said display unit is closed; and a recording paper inserting port arranged in the upper portion of the apparatus main body, for inserting a recording sheet from a location to the rear of said display unit when said display unit is closed.”

These features are not believed to be disclosed or suggested in *Aihara*. As Applicants understand, *Aihara* relates to a portable fax equipment in which data received from a fax sender can be displayed on an LCD display (*see* Abstract). Specifically, the *Aihara* system has an LCD display rotatably mounted on the upper portion of the main body (*see* Fig. 12, 3). Instead of printing any received data on paper using a recorder with multiple components, which makes it difficult to realize a small, light-weight fax equipment, the *Aihara* system shows the received data on the LCD display or saves it in memory (*see* col. 1, line 64-col. 2, line 6). Since *Aihara* teaches away from the use of a recorder, it does not disclose or suggest “a recording paper inserting port... for inserting a recording sheet,” as recited in Claim 1.

Furthermore, the *Aihara* system has an original document insertion slot where a user places a document to be faxed. The original document insertion slot is also located on the

upper portion of the main body such that when the LCD display is closed down, the LCD display hides the original document insertion slot, while when the LCD display is lifted up, the original document insert slot is visible and accessible (*see* col. 17, lines 21-26 and lines 40-42, and Fig. 13). This configuration means that *Aihara* does not disclose or suggest “a document inserting port... for inserting a document from a location to the rear of said display unit when said display unit is closed,” as recited in Claim 1.

The portion of *Aihara* cited in the Office Action as disclosing the document inserting port of Claim 1 describes merely the feed path for a document to be faxed. It does not depict any relationship between the original document insertion slot and the display LCD. The portion of *Aihara* cited for disclosing the recording paper inserting port of Claim 1 describes the same original document insertion slot. It does not at all concern a separate slot for inserting sheets of paper onto which received data is to be recorded.

Accordingly, for at least the reasons noted above, Claim 1 is believed patentable over *Aihara*.

A review of the other art of record has failed to reveal anything which, in Applicants’ opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claim. Therefore, the independent claim is believed to be allowable over the art of record.

The other claims in this application are each dependent from Claim 1, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, respectively, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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